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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,286	02/09/2004	Onno Mark Becker Hof	4906P139	1140

  

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EXAMINER
NGUYEN, HANH N

  

ART UNIT	PAPER NUMBER
2616	

  

MAIL DATE	DELIVERY MODE
08/01/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/775,286

Applicant(s)

BECKER HOF ET AL.

Examiner

Hanh Nguyen

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2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 7/5/07.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

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## **DETAILED ACTION**

### ***Oath/Declaration***

It does not include the notary's signature, or the notary's signature is in the wrong place.

The Declaration filed on 2/9/04 fails to have inventors' signature and dated.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 12, it is not clear what is meant by "the packet received or dynamic host configuration protocol ( DHCP) into the network device"?

### ***Claim Objections***

Claim 3 is objected to because of the following informalities: " an network element" on line 1 should be amended as " a network element". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-12, 15-17 are rejected under 35 USC 103(a) as being unpatentable over The Admitted Prior Art in view of Ebrahim ( Us pat. 6,154,777).

In claims 3, 4, the Admitted prior art discloses ( in specification, paragraph[ 0002-0008]; fig.1) an network element ( fig.1, network element 111) comprising a virtual circuit unit ( virtual circuit 102) to receive a plurality of traffic packets ( receiving packets via demux 105) from a subscriber ( subscriber at computing device 101), wherein bindings to a plurality of contexts ( bindings from bindings 115A-115I to contexts 107) in the network element (network element 111) have been established for the subscriber (subscriber at computing device 101); a packet analyzer ( packet analyzer 112) within the virtual circuit unit (virtual circuit 102) to access at least certain header information from each one of said plurality of traffic packets (paragraph 0007; packet analyzer 112A accesses header information from packet); a single binding unit ( single binding 115A) coupled to said packet analyzer ( coupled to packet analyzer 112A) to select one of the plurality of contexts ( select one context) for each one of said plurality of traffic packets ( for one service) based on accessed header information ( paragraph 0008; based on login procedure), and to communicate each one of said plurality traffic packets to the selected one of said plurality of contexts ( subscriber is only bound to one context per service). See specification, paragraphs [0002]-[0008]. The admitted prior art does not disclose a multiple binding unit coupled to said packet analyzer to select one of the contexts based on access header information. Ebrahim discloses in fig.4,a name resolver 180 includes multiple binding table ( multiple bing unit) that resolve the request

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to an appropriate IP address for a destination host 210. ( see col.4, lines 60-67). Based on sender's information such as address ( col.5, lines 25-40; based on accessed header information), type of service requested or specific information requested is sent to the destination ( selecting one of the contexts). See col.6, lines 5-15. Therefore, it would have been obvious to one skilled in the art to implement the teaching of Ebrahim into the Admitted prior art shown in fig.1 in order to have a multiple binding unit that is capable of selecting different contexts for different type of services. The motivation is to allow subscriber not to have reauthorization during switching between different contexts.

Claims 1, 5, 6, 7, 8, 9, 10 have similar subject matters discussed in claims 3 and 4. Therefore, the limitations of these claims do not have to be addressed.

In claim 11, the admitted prior art discloses the packet is received via PPP into the network device (see specification in paragraph [0006]).

In claim 12, the admitted prior art discloses the packet received on DHCP into the network device ( see paragraph [0006]).

In claims 15, 16 and 17, , the admitted prior art discloses the second context is associated with gaming content, video content and VPN ( see paragraph [0002]; each context 107A-I can be associated with a different service including gaming service, video service, and ISP).

Claims 2, 13 and 14 are rejected under 35 USC 103(a) as being unpatentable over The Admitted Prior Art in view of Weschler ( Us pat. 6,807,181 B1).

In claims 2,13 and 14, The admitted prior art does not disclose selecting whether the packet is destined for a primary context or a secondary context. The specification describes the secondary context as shown in fig.5, therefore, Weschler is relied to discloses in fig.6A that the request packet 606 from client 602 comprises request 610 and an associated context 612. The context 612 comprises client's identity ( a secondary binding data structure comprises secondary context). See col.14, lines 50-55. Therefore, it would have been obvious to combine the teaching of Weschler with the admitted prior art in order to determine whether the packet is destined for primary binding comprising primary context or secondary binding comprising secondary contexts.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shoaib et al. ( US pat. 7,161,914 B2).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The examiner can normally be reached on Monday-Thursday from 8:30 to 4:30. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Nguyen

A handwritten signature in black ink, appearing to read 'H. Nguyen' with a stylized, cursive flourish at the end.

**HANH NGUYEN  
PRIMARY EXAMINER**